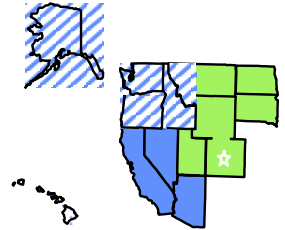




US Army Environmental Center Western Regional Environmental Office REGION 9 – SEPTEMBER 2003 WESTERN REGION REVIEW



The WESTERN REGION REVIEW provides current information on significant regulatory & legislative developments, as well as related information affecting US Army activities & operations in the Federal Region 9 area: Arizona, California, Hawaii and Nevada. We appreciate your feedback. Please contact the Western Regional Environmental Office, U.S. Custom House, 721 19th Street, Room 427, Denver, CO 80202-2500; phone: (303) 844-0954, or fax: (303) 844-0951.

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FEDERAL AGENCY NEWS & REGULATORY DEVELOPMENTS



ENVIRONMENTAL PROTECTION AGENCY (EPA) INFORMATION

AIR INFORMATION:

PROPOSED RULE – ACCIDENTAL RELEASE PREVENTION REQUIREMENTS – On 31 July 2003 (68 FR 45123), EPA proposed changes to the risk management plan (RMP) regulations mandated under the accidental release prevention provisions of the Clean Air Act. EPA proposed that facilities that have an accident meeting the criteria for the five-year accident history be required to update and re-submit their RMP within six months of the date of the accident. The five-year accident history element for the RMP (40 CFR 68.42) requires the owner or operator of a stationary source to record information in their RMP on all accidental releases from covered processes in the past five years that resulted in deaths, injuries, or significant property damage on site, or known offsite deaths, injuries, evacuations, sheltering in place, property damage, or environmental damage. This requirement includes the release of any chemical from a covered process, not just the release of a regulated substance. Comments are due by 15 September 2003. For further information, contact Vanessa Rodriguez, EPA at (202) 564-7913, or link: <http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/03-19281.htm>.

NOTICE OF AVAILABILITY – DRAFT REGULATORY TEXT FOR PROPOSED RULE TO IMPLEMENT THE 8-HOUR OZONE NAAQS – On 6 August 2003 (68 FR 46536), EPA released a draft regulatory text to accompany the proposed rule to implement the 8-hour ozone national ambient air quality standard (NAAQS) which was published on 2 June 2003 (68 FR 32802). If, after notice and comment, EPA adopts approaches other than those reflected by the draft regulatory text, the final regulatory text will incorporate the approaches adopted. Comments must be received by 5 September 2003. For further information, contact John Silvasi, EPA at (919) 541-5666 or e-mail: silvasi.john@epa.gov.

NOTICE OF AVAILABILITY – DRAFT STAFF PAPER FOR PARTICULATE MATTER – On 28 August 2003 (68 FR 51774), EPA released the draft document, "Review of the National Ambient Air Quality Standards for Particulate Matter: Policy Assessment of Scientific and Technical Information. The purpose of the Staff Paper is to evaluate the policy implications of the key scientific and technical information contained in a related EPA document, "Air Quality Criteria for Particulate Matter," required by the Clean Air Act for use in the periodic review of the national ambient air quality standards for particulate matter. EPA also made available a related document, "Particulate Matter Health Risk Assessment for Selected Urban Areas." Comments on the draft documents are due by 28 October 2003. For further information, contact Mary Ross, EPA at (919) 541-5170.

WATER INFORMATION:

PROPOSED RULE – LONG TERM 2 ENHANCED SURFACE WATER TREATMENT RULE – On 11 August 2003 (68 FR 47639), EPA proposed National Primary Drinking Water Regulations that require the use of treatment techniques, along with monitoring, reporting, and public notification requirements, for all public water systems that use surface water sources. The purposes of the Long Term 2 Enhanced Surface Water Treatment Rule (LT2ESWTR) are to improve control of microbial pathogens in drinking water and to address risk trade-offs with the control of disinfection byproducts. The LT2ESWTR will build

upon the treatment technique requirements of the Interim Enhanced Surface Water Treatment Rule and the Long Term 1 Enhanced Surface Water Treatment Rule. Comments must be received by 10 November 2003. For further information, contact Daniel Schmelling, EPA at (202) 564-5281.

PROPOSED RULE – STAGE 2 DISINFECTANTS AND DISINFECTION BYPRODUCTS RULE – On 18 August 2003 (68 FR 49547), EPA proposed maximum contaminant level (MCL) goals for chloroform, monochloroacetic acid and trichloroacetic acid; National Primary Drinking Water Regulations for total trihalomethanes and haloacetic acids; and revisions to the reduced monitoring requirements for bromate. The proposal specifies the best available technologies for the proposed MCLs. EPA also proposed additional analytical methods for the determination of disinfectants and disinfection byproducts (DBPs) in drinking water and proposed to extend approval of DBP methods for the determination of additional chemical contaminants. Comments must be received by 17 November 2003. For further information, contact Tom Grubbs, EPA at (202) 564-5262.

NOTICE OF AVAILABILITY – ARSENIC TECHNOLOGY EVALUATION HANDBOOK – EPA has issued a document titled: “Arsenic Treatment Technology Evaluation Handbook for Small Systems.” The document is intended to help small drinking water systems make treatment decisions to comply with the revised arsenic rule. Major sections of the document include: 1) a discussion of arsenic mitigation strategies; 2) technology selection; 3) planning level treatment costs; 4) design considerations; and 5) point-of-use treatment options. The document is available at http://www.epa.gov/safewater/smallsys/arsenic_treatment_handbook_lo.pdf.

NOTICE OF AVAILABILITY – WATER QUALITY TRADING ASSESSMENT HANDBOOK – EPA Region 10 has posted a “Water Quality Trading Assessment Handbook” online at <http://www.epa.gov/r10earth> (go to Index and click on “T” for Trading). EPA policy encourages water quality trading as a way of focusing on cost-effective, local solutions to pollution problems. The handbook provides a guide through a structured assessment of trading opportunities and examines the environmental, economic and technical factors that influence the water quality trading market. For further information regarding the handbook, contact Claire Schary, EPA at (206) 553-8514. For general information on national trading activities, link: <http://www.epa.gov/owow/watershed/trading.htm>.

GENERAL INFORMATION:

NOTICE OF AVAILABILITY – INDOOR AIR QUALITY DESIGN TOOLS FOR SCHOOLS – EPA has announced the launch of “Indoor Air Quality Design Tools for Schools.” This new web-based resource contains recommendations and tools to integrate good air quality practices into the design, construction, renovation, and operation of K-12 school facilities. For further information, contact Bob Axelrad, EPA at (202) 564-9315, or link: <http://www.epa.gov/iaq/schooldesign>.



GENERAL INFORMATION

FINAL RULE – HAZARDOUS MATERIALS TRANSPORTATION – On 31 July 2003 (68 FR 44991), the Department of Transportation, Research and Special Programs Administration, revised the Hazardous Materials Regulations to maintain alignment with international standards by incorporating various amendments, including changes to proper shipping names, hazard classes, packing groups, special provisions, packaging authorizations, air transport quantity limitations, and vessel stowage requirements. Compliance with the amendments is mandatory 1 October 2004. For further information, contact John McIntyre, DOT at (202) 366-8533, or link: <http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/03-19016.htm>.

FINAL RULE – AMENDMENTS TO HAZARDOUS MATERIALS REGULATIONS – On 14 August 2003 (68 FR 48562), RSPA amended the Hazardous Materials Regulations by incorporating miscellaneous changes based on petitions for rulemaking and RSPA initiatives. The intended effect of these regulatory changes is to update, clarify or provide relief from certain regulatory requirements. The amendments will be effective 1 October 2003. For further information, contact Gigi Corbin, RSPA at (202) 366-8553, or link: <http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/03-20508.htm>.

PROPOSED RULE – DOD MUNITIONS RESPONSE SITE PRIORITIZATION PROTOCOL – On 22 August 2003 (68 FR 50899), DoD proposed a rule that establishes the Munitions Response Site Prioritization Protocol. The purpose of the Protocol is to assign a relative priority for munitions responses to each location in the inventory of munitions response sites known or suspected of containing unexploded ordnance, discarded military munitions, or munitions constituents. The Protocol evaluates the following potential explosive safety and environmental hazards: 1) explosive hazards posed by unexploded ordnance and discarded military munitions; 2) hazards associated with the effects of chemical warfare materiel; and 3) chronic health and environmental hazards posed by munitions constituents or other chemical constituents. The Protocol has three hazard evaluation modules, each of which is specific to one type of hazard. Comments are due by 20 November 2003. For further information, contact the Office of the Deputy Under Secretary of Defense at (703) 695-6107.

PROPOSED RULE – AIRBORNE EXPOSURE LIMITS FOR CHEMICAL WARFARE AGENTS – On 22 July 2003 (68 FR 43356), the Centers for Disease Control and Prevention (CDC) proposed updates to the airborne exposure limits for chemical warfare Agents H, HD, and HT (Sulfur Mustard) recommended by CDC in 1988. The proposal is predicated on CDC's understanding of existing demilitarization safeguards and procedures. Rather than specify an eight-hour time-weighted average, CDC proposed to designate a five-minute ceiling level that reflects the extensive near-real-time monitoring systems associated with chemical demilitarization activities. Additionally, CDC proposed to recommend a 12-hour general population limit (GPL-12), applicable to both the general population and workers, to confirm that low-level exposure is not occurring. The time duration of the GPL-12 is consistent with the sampling period for existing air monitoring methods and the long work shifts in many demilitarization operations. CDC proposed that the 1988 worker population limit (WPL) of 0.003 mg/m³, currently an eight-hour time-weighted average (TWA), be a five-minute ceiling limit value; and the GPL of 0.0001 mg/m³, currently a 72-hour TWA, be a 12-hour TWA and adjusted to 0.00002 mg/m³ to meet carcinogenicity protection levels below thresholds of significant risk. Comments are due by October 1, 2003. For further information, contact Paul Joe, CDC, at (770) 488-7091, e-mail: pbj4@cdc.gov.

PROPOSED RULE – HAZARDOUS MATERIALS SAFETY PERMITS – On 19 August 2003 (68 FR 49737), the Federal Motor Carrier Safety Administration (FMCSA) proposed to establish a safety permit program to enhance safe and secure transportation of designated hazardous materials and motor carrier safety. Beginning in 2005, a motor carrier would need to hold a safety permit in order to transport these hazardous materials in interstate or intrastate commerce. FMCSA also proposes to consider additional "acute" and "critical" regulations relevant to its determination of a carrier's safety fitness rating and the issuance of a safety permit. FMCSA has decided to not prescribe a uniform permitting system (at the state level) for intrastate transportation of hazardous materials. Comments are due by 20 October 2003. For further information, contact James Simmons, FMCSA at (202) 493-0496.

ARMY UPDATES EPCRA TRI INFORMATION – The Army Environmental Center (AEC) has posted the latest information on the Army and DoD's Emergency Planning and Community Right to Know Act (EPCRA) Toxic Release Inventory (TRI) program. The site contains information on Army TRI reporting requirements and a link to DENIX with the latest DoD guidance. AEC will post any news or progress in the EPCRA program on the site, located on the AEC home page at <http://aec.army.mil/usaec> (click on pollution prevention and scroll down to the EPCRA link).

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UPCOMING CONFERENCES, SYMPOSIUMS, AND TRAINING ANNOUNCEMENTS

ENVIRONMENTAL MANAGEMENT SYSTEM (EMS) TRAINING

9-10 September 2003 – Las Vegas, Nevada

16-17 September 2003 – Anchorage, Alaska

In conjunction with the Federal Network for Sustainability, EPA is sponsoring EMS training workshops for federal agencies. Attendance will be limited to 60 persons. For more information, contact Tom Kelly, EPA at (415) 972-3856, or link: <http://www.doi.gov/training/dlca.html>.

17th ANNUAL ACHMM NATIONAL CONFERENCE

14-17 September 2003 – Dallas, Texas

The Academy of Certified Hazardous Materials Managers (ACHMM) is sponsoring this conference. This year's theme is: "The Challenging World of Hazardous Materials Management." The conference topics include: "Chemical and Biological Terrorism: Homeland Security and Current Events," "Management of an Anthrax Response through an EMS," and "Reflection on the Environment and National Policy." For more information or to register, link: <http://www.achmm.org/achmmnew/>.

HISTORIC PRESERVATION LAW AND SECTION 106 COMPLIANCE

23-25 September 2003 – Newport, Rhode Island

4-6 November 2003 – Portsmouth, New Hampshire

24-26 February 2004 – Jacksonville, Florida

20-22 April 2004 – San Antonio, Texas

20-22 July 2004 – Annapolis, Maryland

This course emphasizes legal compliance (the National Historic Preservation Act Section 106 process) using actual case studies. It addresses legislation and the process to meet the requirements of the law. Course content includes: the stewardship role; use of historic properties; and communications with related oversight agencies. For more information or to register, link: <https://www.cecos.navy.mil>.

"PARTNERS TO PROMOTE STEWARDSHIP" CONFERENCE

29 September – 2 October 2003 – Grand Teton National Park, Wyoming

EPA, the National Park Service, the Peaks to Prairies Pollution Prevention Information Center and several states are sponsoring this conference, titled: "Sharing Common Ground: Partners to Promote Stewardship." This conference is for federal, state and local land managers, regulatory agencies, and non-profit and private sector organizations involved in public land use, and looking for ways to work cooperatively to sustain the wealth of environmental resources on public lands and the surrounding communities. For more information, link: <http://www.mesllc.net/conference>.

"AN ORGANIZATIONAL GUIDE TO POLLUTION PREVENTION" WORKSHOP

7- 9 October 2003 – Boston, Massachusetts

4-6 November 2003 – Dallas, Texas

9-11 December 2003 – Philadelphia, Pennsylvania

EPA is hosting this workshop to help organizations get P2 programs started or to reevaluate existing P2 programs. The guide presents an alternative method for working P2 projects and plans, and four approaches to implementing P2 and environmental planning within an organization. There is no registration fee for the workshop. For further information, visit the workshop website at www.epa.gov/ttnrmrl/p2workshop.htm.

CLEANUP SITE CLOSURE: REGULATORY & ADMINISTRATIVE ACTIVITIES

8-9 October 2003 – Las Vegas, Nevada
2-3 December 2003 – Richland, Washington
17-18 February 2004 – Idaho Falls, Idaho

The Resource Training Institute (RTI) is offering this course for personnel who are involved in the planning and implementation of closure and post-closure activities at hazardous and mixed waste management facilities or environmental restoration projects. The course will provide an overview of RCRA requirements for landfills, storage pads, and contaminated areas. It will also cover effective ways to plan for the integration of closure among units regulated under different programs. For more information or to register, call (803) 652-8830, or link <http://www.rtii.org>.

CERCLA ORIENTATION AND REMEDIAL INVESTIGATION/FEASIBILITY STUDY

14-16 October 2003 – Richland, Washington

RTI is offering this course for personnel that have little or no experience in the basic background and implementation of CERCLA. Participants are provided with an in-depth review of the Remedial Investigation/Feasibility Study (RI/FS) process as it applies to environmental restoration programs. Following an overview of the CERCLA Process, the course focuses on the RI/FS process and addresses site characterization, risk assessment, and remedy selection issues. Attention is also given to public involvement in the cleanup process. For more information or to register, call (803) 652-8830, or link <http://www.rtii.org>.

APPLIED CLEAN AIR ACT

21-23 October 2003 – Las Vegas, Nevada
16-18 December 2003 – Orlando, Florida

RTI is offering this course for environmental professionals who are responsible for implementation and monitoring of their facilities' compliance with the requirements of the Clean Air Act (CAA). The course provides detailed information on all facets of the CAA and the 1990 Amendments. It covers the fundamentals of air pollution such as abatement equipment, monitoring, and air dispersion models. For more information or to register, call (803) 652-8830, or link <http://www.rtii.org>.

ENVIRONMENTAL LAWS AND REGULATIONS

21-23 October 2003 – Albuquerque, New Mexico
18-20 December 2003 – Richland, Washington

RTI is offering this course for personnel new to the field of waste management environmental compliance or environmental restoration, as well as persons who need an update on recent changes in environmental laws and regulations. The course will address high level waste storage in tanks and treatment for disposal; low level waste disposal; mixed waste treatment, storage and disposal; environmental compliance associated with operational or restart issues; decommissioning activities; and materials transportation. For more information or to register, call (803) 652-8830, or link <http://www.rtii.org>.

BROWNFIELDS 2003 CONFERENCE

27-29 October 2003 – Portland, Oregon

EPA is sponsoring this conference on brownfields cleanup and reuse. The conference will include panel sessions, mobile workshops, "Marketplace of Ideas" roundtable discussions, and individual poster presentations. For further information, link: <http://www.epa.gov/brownfields>.

INTRODUCTORY HEALTH RISK COMMUNICATION WORKSHOP

27-29 October 2003 – Ft. Richardson, Alaska
3-5 November 2003 – Ft. Wainwright, Alaska
24-26 February 2004 – Seattle, Washington
27-29 April 2004 – Honolulu, Hawaii

The Army Center for Health Promotion and Preventative Medicine is presenting this workshop to instruct participants how to identify, build, maintain, and use strategic partnerships and plans to support an organization's mission. The workshop will provide a basic understanding of the concepts, principles, and process of effective risk communication. Topics include: History and Philosophy of Risk Communication, Steps of the Risk Communication Process, Importance of Identifying, Understanding, and Collaborating

with Key Stakeholders, Pitfalls to Effective Risk Communication, and Basic Tools for Engaging the Media. For more information or to register, link <http://chppm-www.apgea.army.mil/risk>.

UXO BASIC TRAINING COURSE

28-29 October 2003 – Austin, Texas

The Interstate Technology and Regulatory Council (ITRC) is co-sponsoring this course with EPA and the Texas Commission on Environmental Quality. This is an entry-level course designed to provide an overview of key environmental issues associated with ordnance and explosives cleanup. Participants will be introduced to basic terminology, munitions identification, safety concerns, regulatory requirements, conventional and innovative technology, site investigation, and site remediation. For more information or to register, contact Eileen O'Toole at (540) 557-6007, or link to the ITRC web site: <http://www.itrcweb.org>.

LOW-IMPACT DEVELOPMENT WORKSHOP

28-30 October 2003 – Fort Lewis, Washington

The Army Environmental Center and Fort Lewis are sponsoring this free workshop, which will examine administrative and policy-related aspects of implementing low-impact development in construction, renovation, and landscaping projects. The workshop will involve engineers, planners, and environmental managers in a practical site assessment and design exercise. For more information, call (253) 967-2326. To register, call (253) 966-1795.

ENGAGING THE MEDIA WORKSHOPS

30-31 October 2003 – Ft. Richardson, Alaska

6-7 November 2003 – Ft. Wainwright, Alaska

The Army Center for Health Promotion and Preventative Medicine is presenting these workshops to provide participants with an understanding of the unique nature of the media, as well as hands-on practice of skills and tools to engage the media successfully. The workshop includes discussions on relating media communications to your strategic risk communication planning process, media culture, common traps, and the importance of non-verbal communication when dealing with the media. All participants will have the opportunity for on-camera practice and critique in a variety of situations, including non-crisis, crisis, "ambush," and panel interviews. For more information or to register, call (410) 436-8147, or link: <http://chppm-www.apgea.army.mil/>.

EMERGENCY PREPAREDNESS AND PREVENTION CONFERENCE

16-19 November 2003 – Norfolk, Virginia

The theme of this EPA conference is "Stay the Course," and will emphasize the importance of continued diligence and focus on emergency planning and preparedness efforts. The conference will include workshops, general sessions, networking opportunities, and an exhibit hall. For more information or to register, link: <http://www.2003conference.org>.

NREP/INSTEP ANNUAL TECHNICAL CONFERENCE

17-21 November 2003 – Orlando, Florida

The National Registry of Environmental Professionals and the International Society of Technical and Environmental Professionals are co-sponsoring this conference. The agenda includes certification preparatory workshops, technical papers, and special seminars for updating professional skills. For more information or to register, link: <http://www.nrep.org/conference/conference2.html>.

PARTNERS IN ENVIRONMENTAL TECHNOLOGY SYMPOSIUM

2-4 December 2003 – Washington, DC

The Strategic Environmental Research and Development Program and the Environmental Security Certification Program are hosting this symposium and workshop with the theme: "Meeting DoD's Environmental Challenges." A major focus will be sustainability of military testing and training ranges. The symposium will offer 12 technical sessions that highlight proven technologies, as well as technologies needed to address emerging environmental challenges. For more information, link: <http://www.serdp.org/news/ESA4c.pdf>.

CONFERENCE ON SUSTAINABLE RANGE MANAGEMENT**5-8 January 2004 – New Orleans, Louisiana**

Battelle is organizing this conference to provide a venue for exchange of information benefiting all stakeholders involved with range management issues. The technical programs will include urban growth and encroachment issues, management of airspace, noise abatement issues, air quality management, threatened and endangered species habitat protection, military munitions response program, and cleanup of munitions and explosives of concern. For more information, link: <http://www.battelle.org/rangecon>.

ADVANCED RISK COMMUNICATION WORKSHOP**13-15 January 2004 – San Diego, California****2-5 August 2004 – Salt Lake City, Utah**

The Army Center for Health Promotion and Preventative Medicine is presenting this workshop to instruct participants how to identify, build, maintain, and utilize strategic partnerships and plans to support an organization's mission. The workshop builds on the "Introductory Health Risk Communication Workshop" listed above (a pre-requisite for this course) and will provide participants with hands-on experience in applying the steps of the risk communication process, on-camera media practice, and seminar-style discussions of "hot" issues impacting military health and readiness. For more information or to register, call (410) 436-3515, or link <http://chppm-www.apgea.army.mil/risk>.

NATURAL RESOURCES COMPLIANCE**27-30 January 2004 – San Antonio, Texas****22-25 June 2004 – Aberdeen, Maryland**

This course offers instruction in specific natural resources laws, regulations, policies, Executive Orders, DoD instructions, and other guidance, noting Service-specific requirements. It addresses stewardship, preservation and process; fish, game and wildlife management laws; protection of wetlands, waterways and other protected ecological areas; forest and land use management laws; and inter-service cooperation. This is an Inter-service Environmental Education Review Board (ISEERB approved) course. For more information or to register, link: <https://www.cecos.navy.mil>.

INTRODUCTION TO CULTURAL RESOURCE MANAGEMENT LAWS AND REGULATIONS**16-18 March 2004 – New Orleans, Louisiana****17-19 August 2004 – Bangor, Maine**

This course provides an integrated overview of all pertinent laws and regulations needed to understand and fulfill cultural resource management responsibilities. The curriculum is designed around a series of inter-related case studies discussed during the course. The course is taught in conjunction with the Advisory Council on Historic Preservation and is approved by the Inter-service Environmental Education Review Board (ISEERB). For more information or to register, link: <https://www.cecos.navy.mil>.

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STATE REGULATORY DEVELOPMENTS, LEGISLATION, AND NEWS



ARIZONA

AIR INFORMATION:

PROPOSED REGULATION – REVISION OF EXISTING STATIONARY SOURCE PERFORMANCE

STANDARDS – The Arizona Department of Environmental Quality (DEQ) has proposed a statewide 20% opacity limit for certain stationary point source categories. The proposed rule also sets forth a process by which a source may petition for an alternative opacity limit. The proposed amendments respond to a recent EPA disapproval of R18-2-702 as a revision of the Arizona State Implementation Plan. EPA found R18-2-702 deficient in three respects: its scope of applicability, the failure of a 40% opacity limit to meet Reasonably Available Control Measures requirements for moderate PM10 nonattainment areas, and the DEQ Director's discretionary power to relax the opacity standard without EPA approval. DEQ will hold a public hearing on 8 September 2003. Comments are due by 12 September. For more information, contact Kevin Force at (602) 771-4480, or link: <http://www.sosaz.com/aar/2003/32/proposed.pdf>.

Legislative Developments

The 2003 legislative session began 12 January and ended 23 May. A summary of significant environmental bills that were passed and signed was included in the June Review. For more information on the legislative session, link <http://www.azleg.state.az.us>.



CALIFORNIA

Regulatory Developments & Other State Information

FINAL RULE – DESIGNATION OF CRITICAL HABITAT FOR FOUR VERNAL POOL CRUSTACEANS AND ELEVEN PLANTS

– On 6 August 2003 (68 FR 46683), the Fish and Wildlife Service (FWS) designated a total of 1,184,513 acres in California and Southern Oregon as critical habitat for 4 vernal pool crustaceans and 11 vernal pool plants. Vernal pool crustaceans and plants live in vernal pools (shallow depressions that hold water seasonally), swales (shallow drainages that carry water seasonally), and ephemeral (short-lived) freshwater habitats. The vernal pool habitats of the 4 vernal pool crustaceans and 11 plants addressed in this final rule have a discontinuous distribution west of the Sierra Nevada that extends from southern Oregon through California into northern Baja California, Mexico. FWS excluded lands at Beale AFB and Travis AFB from the final designated critical habitat pursuant to section 4(b)(2) of the Endangered Species Act (the benefits of exclusion outweigh the benefits of inclusion). Camp Roberts and Fort Hunter Liggett were also excluded from this final designation. However, critical habitat was designated on Fort Ord. The designation will be effective 5 September 2003. For further information, contact Arnold Roessler, FWS at (916) 414-6600.

PROPOSED REGULATION – NEW ECOLOGICAL RESERVES TO SENSITIVE HABITATS AND SPECIES LISTING

– The California Fish and Game Commission has proposed adding five new ecological reserves to the ecological reserves listing, which is designated in Section 630 for the purpose of protecting sensitive habitats and species. The five new reserves are: 1) Canada de los Osos, consisting of 4,200 acres in Santa Clara County for the protection of grassland, oak woodland, chaparral, wetland and riparian habitat for the red-legged frog, California tiger salamander, western pond turtle, and native game species; 2) Chorro Creek, consisting of 580 acres in San Luis Obispo County for the protection of southern steelhead and California red-legged frogs, and restoration and enhancement of riparian, wetland and grassland habitats; 3) Cosumnes River, consisting of 11,895 acres in Sacramento County for the protection of great valley oak riparian forest, coastal and valley freshwater marsh and vernal pools for waterfowl, shorebirds, raptors, fishes, native plants and sensitive species including fairy shrimp, tadpole shrimp, Swainson's hawk, giant garter snake, greater sandhill crane, lesser sandhill crane, yellow-billed cuckoo, leucis and northern California black walnut; 4) Headwaters Forest, consisting of 7,470 acres in Humboldt County for the protection of the last unprotected large stand of old-growth redwood forest for coho salmon, northern California steelhead, California coastal Chinook salmon, marbled murrelet, northern spotted owl and forest carnivores; and 5) North Table Mountain, consisting of 3,315 acres in Butte County for the protection of northern basalt flow vernal pools, and sensitive plant and animal species they support, including the Red Bluff dwarf rush and California horned lizard. Comments are due by 3 October 2003. For more information, contact Kari Lewis at (916) 653-4899, or link:

http://www.dfg.ca.gov/fg_comm/2003/630regs.pdf.

PROPOSED RECOMMENDATIONS – INTEGRATING ENVIRONMENTAL JUSTICE PRINCIPLES INTO THE DECISION MAKING PROCESS

– The California Environmental Protection Agency (Cal/EPA) has released a set of recommendations on how it can better integrate environmental justice principles into its decision making process. The recommendations include: (1) risk reduction measures; (2) all risk assessment done by a single agency; (3) guidelines for brownfields cleanup; and (4) the adoption of more punitive enforcement measures against repeat violators of environmental requirements. The recommendations are designed to assist Cal/EPA agencies in meeting the following goals: (1) ensure meaningful public participation and promote community capacity building to allow communities to be effective participants in the environmental decision making process; (2) integrate environmental justice into the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies; (3) improve research and data collection to promote and address environmental justice related to the health and environment of communities of color and low-income populations; and (4) ensure effective cross-media coordination and accountability in addressing environmental justice issues. Comments are

due by 12 September 2003. For more information, contact Romel Pascual at (916) 324-8425, or link: http://www.calepa.ca.gov/EnvJustice/Documents/2003/7_11Report.pdf.

AIR INFORMATION:

DIRECT FINAL RULE – BAY AREA VOC EMISSIONS – On 26 August 2003 (68 FR 51187), EPA took direct final action to approve revisions to the Bay Area Air Quality Management District portion of the California State Implementation Plan (SIP). The revisions concern the emission of volatile organic compounds (VOC) from the use of solvents and surface coatings. EPA is approving local rules that regulate these emission sources under the Clean Air Act. This rule will be effective 27 October 2003 without further notice, unless EPA receives adverse comments by 25 September 2003. If EPA receives such comments, it will publish a timely withdrawal in the Federal Register to notify the public that this rule will not take effect. For further information, contact Al Petersen, EPA at (415) 947-4118.

DIRECT FINAL RULE – SACRAMENTS VOC AND NOX EMISSIONS – On 26 August 2003 (68 FR 51184), EPA took direct final action to approve revisions to the Sacramento Metropolitan Air Quality Management District's portion of the California SIP. These revisions concern a local fee rule that applies to major sources of volatile organic compound and nitrogen oxide emissions within the Sacramento ozone nonattainment area. EPA is approving a local rule that regulates these emission sources under the Clean Air Act. This rule will be effective 27 October 2003 without further notice, unless EPA receives adverse comments by 25 September 2003. If EPA receives such comments, it will publish a timely withdrawal in the Federal Register to notify the public that this rule will not take effect. For further information, contact Mae Wang, EPA at (415) 947-4124.

DIRECT FINAL RULE – SAN DIEGO VOC EMISSIONS – On 26 August 2003 (68 FR 51185), EPA took direct final action to approve a revision to the San Diego County Air Pollution Control District portion of the California SIP. This revision concerns VOC emissions from the transfer of organic compounds to mobile transport tanks. EPA is approving a local rule that regulates this emission source under the Clean Air Act. This rule will be effective 27 October 2003 without further notice, unless EPA receives adverse comments by 25 September 2003. If EPA receives such comments, it will publish a timely withdrawal in the Federal Register to notify the public that this rule will not take effect. For further information, contact Al Petersen, EPA at (415) 947-4118.

DIRECT FINAL RULE – SOUTH COAST VOC EMISSIONS – On 26 August 2003 (68 FR 51181), EPA took direct final action to approve revisions to the South Coast Air Quality Management District portion of the California SIP. These revisions concern VOC emissions from general spray coating operations, surfactant manufacturing, and storage tanks at petroleum facilities. EPA is approving local rules that regulate these emission sources under the Clean Air Act. This rule will be effective 27 October 2003 without further notice, unless EPA receives adverse comments by 25 September 2003. If EPA receives such comments, it will publish a timely withdrawal in the Federal Register to notify the public that this rule will not take effect. For further information, contact Al Petersen, EPA at (415) 947-4118.

FINAL REGULATION – BAY AREA PERMITTING FEES – The Bay Area Air Quality Management District has amended its air permit fees. The amendments include: (1) a 1.6% cost of living adjustment of the filing fee for new and modified sources and the banking fee; (2) a 1.6% cost of living adjustment of the annual fee for alternative compliance plans; (3) a 1.6% cost of living adjustment for fee schedules B, C, D, E, F, G-1, G-2, G-3, G-4, H, I, K, N, M and P (Title V); (4) a 1.6% cost of living adjustment in asbestos operations fees (Schedule L); and (5) a 1.6% cost of living adjustment of the hearing board fees plus specific proposed changes shown in Schedule A. The amendments were effective 2 July 2003. For more information, contact William de Boisblanc at (415) 749-4704, or link: <http://www.baaqmd.gov/regs/rg0300.pdf>.

FINAL REGULATION – SAN DIEGO STATIONARY RECIPROCATING INTERNAL COMBUSTION ENGINES – The San Diego County Air Pollution Control district has adopted amendments to its reasonably available control technology for stationary reciprocating internal combustion engines. The amendments will: (1) require installation of a non-resettable totalizing fuel meter or a non-resettable hour

meter for any engine subject to this rule and located at a stationary source of NOx emissions greater than 50 tons per year; (2) require any engine rated at 1,000 bhp or greater and operated more than 2,000 hours per calendar year to install and operate a continuous monitoring system, or an alternative system approved by the District and EPA, to continuously measure and record oxygen and NOx emission concentrations; (3) require owners or operators of engines installed after the date of this rule amendment to continuously monitor operating parameters or emissions; (4) require engines rated at 5,000 brake horsepower or more and operated 6,000 or more hours per year to be equipped with continuous emissions monitoring systems; and (5) specify an averaging period to calculate NOx emissions concentration for the purposes of compliance determinations. The amendments were effective 30 July 2003. For more information, contact Michael Lake at (858) 650-4590, or link: <http://www.sdapcd.co-san-diego.ca.us/rules/rules/Reg4pdf/R69-4.pdf>.

FINAL REGULATION – SOUTH COAST EQUIPMENT NOT REQUIRING A PERMIT – The South Coast Air Quality Management District has adopted amendments to identify low-emitting equipment categories exempt from permitting requirements. The amendments: (1) provide an exemption for closed loop solvent recovery systems with refrigerated or water-cooled condensers used for recovery of waste solvent generated onsite; (2) provide an exemption for foam insulation application equipment where no VOC containing blowing agent is used; (3) provide an exemption for toner refilling equipment and associated control equipment; (4) replace vapor pressure exemptions for lubricants with a limit of 5 tons per year of VOC emissions from these operations at a facility; (5) replace the exemption for deep fat frying equipment at eating establishments with a 50 gallon or less capacity exemption; (6) provide for an exemption of 1 gallon per day of organic solvents for food processing; and (7) change VOC limit of cleaning solvents from 50 grams of VOC per liter to 25 grams of VOC per liter. The amendments were effective 11 July 2003. For more information, contact Moustafa Elsherif at (909) 396-3113, or link: <http://www.aqmd.gov/rules/html/r219.html>.

PROPOSED REGULATION – CONTROL OF EVAPORATIVE EMISSIONS FROM SMALL SPARK-IGNITION OFF-ROAD ENGINES – The California Air Resources Board has proposed amendments to control evaporative, permeation, and exhaust emissions from small spark-ignition off-road engines (SORE). The amendments will include emission limits and test and certification procedures. A SORE is an off-road spark-ignition engine below 25 horsepower, including small utility equipment, lawn mowers and weed trimmers. The Board also proposed diurnal evaporative emission standards for equipment that utilize engines greater than 80 cc and a permeation standard for fuel tanks used with small off-road engines < 80 cc. Comments are due by 24 September 2003. For more information, contact Jacline Lourenco at (626) 575-6676, or link: <http://www.arb.ca.gov/regact/sore03/sore03.htm>.

PROPOSED REGULATION – SAN DIEGO STARTUPS AND SHAKEDOWNS – The San Diego County Air Pollution Control District has proposed a new rule to provide temporary relief from standards during startups and shakedowns of emission units. The rule involves commissioning operations for stationary gas turbines and reciprocating internal combustion engines with add-on emission control equipment. The proposed rule will exempt any new, modified, or replacement turbine or engine equipped with add-on emission control from the applicable emission standards during a specified commissioning period. Specifically, the rule will allow such an exemption if all of the following conditions are satisfied: (1) an Authority to Construct for the turbine or engine has been granted; (2) the turbine or engine is not used for commercial purposes during the commissioning period; (3) the total turbine or engine operating time during the commissioning period does not exceed 200 hours; (4) a Continuous Emission Monitoring System, Parametric Emission Monitoring System and/or Data Acquisition and Handling System, if required, is installed and fully operational; (5) projected and actual emissions of oxides of nitrogen, volatile organic compounds or carbon monoxide, as applicable, are quantified; (6) the air quality and public risk impacts of emissions from the whole project, including those during the commissioning period, comply with the applicable requirements of District's New Source Review Rules; and (7) all other requirements of the District's Rules and Regulations are met. The rule also provides requirements for notification, recording and recordkeeping procedures prior to and during commissioning operations. Comments are due by 8 September 2003. For more information, contact Michael Lake at (858) 650-4590, or link: <http://www.sdapcd.co-san-diego.ca.us/rules/rules/R24-1dft.pdf>.

WASTE INFORMATION:**FINAL REGULATION – CONSTRUCTION, DEMOLITION AND INERT DEBRIS STANDARDS AND PERMIT REQUIREMENTS**

– The California Integrated Waste Management Board has adopted the Phase I regulations that set forth permitting requirements and minimum operating standards for operations and facilities that receive, store, handle, recover, process or dispose of construction, demolition, and inert debris. The Board is taking a two-phase approach to this rulemaking. Phase I covers the transfer and processing of construction and demolition debris, and Phase II will cover the disposal of debris. The regulation places these materials into regulatory tiers. The regulations were effective 9 August 2003. For more information, contact Mark DeBie at (916) 341-6331, or link: <http://www.ciwmb.ca.gov/Rulemaking/CDMater>.

FINAL EMERGENCY REGULATION – TRANSPORTATION OF HAZARDOUS WASTE – The California Department of Toxic Substances Control has adopted emergency regulations to implement recent California legislation (SB 489) regarding the transportation of hazardous waste. This legislation requires special handling of hazardous waste based on its potential to harm the public in a terrorist or criminal act. The category, "Hazardous Wastes of Concern", (HWC) relates to hazardous wastes with the potential for use in a terrorist or criminal act to harm the public. The regulations implement new reporting requirements for transporters and treatment, storage, and disposal facilities that handle these wastes. SB 489 defined HWC as having "the potential to be intentionally and effectively used to harm the public in a terrorist or other criminal act." These regulations specify that a HWC is an explosive material, a poisonous material, or a poisonous gas. The regulations were effective 10 July 2003. For more information, contact Claudia Nagy at (916) 322-6649.

Legislative Developments

The 2003 legislative session began 7 January. The Legislature will adjourn 12 September. For current information on the legislative session, link <http://www.leginfo.ca.gov/index.html>.

CALIFORNIA AB 107 – WATER - Appropriates \$23,000,000 to the East Bay Municipal Utility District to protect State, regional, and local drinking water systems from terrorist attacks or deliberate acts of destruction or degradation. Authorizes \$15,000,000 for water system security capital improvements and \$8,000,000 for the planning, design, and construction of an interagency water supply emergency project. Introduced 10 January 2003. Referred to Assembly Water, Parks and Wildlife Committee 21 January. Passed Assembly 4 June. Referred to Senate Agriculture and Water Resources Committee 19 June. Amended 24 June. The sponsor is Assemblywoman Ellen Corbett (D).

CALIFORNIA AB 575 – TRANSPORTATION (WASTE) - Requires a motor carrier in intrastate commerce that transports certain materials or substances, except hazardous materials, to ensure that the vehicle, or at least one vehicle in a combination of vehicles, is equipped with a remote or external device that enables a peace officer, the carrier, or driver to immediately disable the vehicle by one or more specific methods. Introduced 18 February 2003. Passed Assembly 2 June. Referred to Senate Transportation Committee 12 June. Amended 17 July. The sponsor is Assemblyman John Dutra (D).

CALIFORNIA AB 826 – PERCHLORATE - Establishes a program to eliminate or significantly reduce perchlorate in the State's drinking water, and to ensure that the Department of Health Services sets regulatory drinking water standards for perchlorate that are as close to the corresponding public health goal as is economically and technically feasible. Introduced 20 February 2003. Passed Assembly 2 June. Referred to Senate Environmental Quality Committee 12 June. Reported from Committee 8 July. Amended 29 August. The sponsor is Assemblywoman Hannah-Beth Jackson (D).

CALIFORNIA AB 1174 – ELECTRONIC WASTE - Defines "electronic waste" for State programs that recycle plastic trash bags, plastic packaging containers, waste tires, newsprint, and other specified materials. Introduced 21 February 2003. Referred to House Natural Resources Committee 8 April. The sponsor is Assemblyman Tim Leslie (R).

CALIFORNIA AB 1247 – HAZARDOUS WASTE - Requires the Department of Toxic Substances Control to allow the public a meaningful opportunity to comment upon a proposed hazardous waste facility closure and postclosure plan before the Department initially approves the plan and before the Department makes any significant changes to an approved plan. Authorizes the Department to approve the hazardous waste facility closure and postclosure plans by issuing a postclosure permit, issuing an enforceable order, or entering into an enforceable agreement. Introduced 21 February 2003. Passed Assembly 29 May. Passed Senate 21 July. Sent to Governor 26 August. The sponsor is Assemblyman Greg Aghazarian (R).

CALIFORNIA AB 1248 – WASTE DISPOSAL - Requires the State Water Resources Control Board and the California Regional Water Quality Control Board, as appropriate, to provide public notice and an opportunity to comment prior to issuance of waste discharge permits, dredged or fill material permits, and actions to enforce those requirements, including the issuance of time schedule orders and cleanup or abatement orders. Introduced 21 February 2003. Passed Assembly 2 June. Referred to Senate Environmental Quality Committee 12 June. Amended 1 July. Reported from Committee 8 July. The sponsor is Assemblyman Greg Aghazarian (R).

CALIFORNIA AB 1367 – HAZARDOUS WASTE - Authorizes the Department of Toxic Substances Control to adopt alternative hazardous waste management regulations for hazardous waste management activities that meet specified criteria. Requires the Department to make specified findings and analysis, and to make that analysis available to the public before adopting those regulations. Introduced 21 February 2003. Passed Assembly 15 May. Amended 1 July. Referred to Senate Appropriations Committee 8 July. Amended 18 August. The sponsor is Assemblyman John Laird (D).

CALIFORNIA AB 1468 – AIR QUALITY - Requires each negative air machine in the State to be leak tested on the site of any asbestos abatement project that requires the removal of more than 100 square feet of asbestos prior to the commencement of the project. Introduced 21 February 2003. Passed Assembly 2 June. Referred to Senate Environmental Quality Committee 12 June. Amended 30 June. Referred to Senate Appropriations Committee 15 July. The sponsor is Assemblywoman Fran Pavley (D).

CALIFORNIA AB 1541 – WATER QUALITY - Classifies a failure to file certain technical or monitoring reports required by a California Regional Water Quality Control Board or the State Water Resources Control Board relating to the discharge of waste or dredged or fill material as a "serious violation." Introduced 21 February 2003. Passed Assembly 27 May. Referred to Senate Environmental Quality Committee 5 June. Amended 27 August. The sponsor is Assemblywoman Cindy Montanez (D).

CALIFORNIA AB 1699 – MERCURY - Prohibits any person from disposing, or attempting to dispose of, a fluorescent lamp at a solid waste facility. Authorizes fluorescent lamp disposal or recycling at a hazardous waste facility that has been issued a hazardous waste facilities permit by the Department of Toxic Substances Control. Authorizes fluorescent lamp recycling in the same manner as that required for universal waste. Introduced 25 February 2003. Referred to Assembly Environmental Safety and Toxic Materials Committee 13 March. Hearing held 29 April. The sponsor is the Committee on Environmental Safety and Toxic Materials.

CALIFORNIA AB 1700 – ENVIRONMENTAL RESTORATION - Prohibits the State Controller and the Department of Finance from eliminating positions or expenditure authority, or imposing a hiring freeze or other personal services limitations, as specified, upon any non-General Fund program that provides oversight and related support of remediation and hazardous substance management at a military base. Introduced 25 February 2003. Passed Assembly 15 May. Referred to Senate Appropriations Committee 16 July. Amended and reported from Committee 30 August. The sponsor is the Committee on Environmental Safety and Toxic Materials.

CALIFORNIA AB 1702 – UNDERGROUND STORAGE TANKS - Revises the definition of unauthorized release to delete the exclusion for releases authorized by the State Water Resources Control Board or a regional board. Deletes the authorization to impose certain penalties and provides that both the owner and the operator of an underground tank are responsible for compliance with the requirements for an underground storage tank. Signed by Governor Gray Davis (D) 27 June. The sponsor is the Committee on Environmental Safety and Toxic Materials.

CALIFORNIA AB 1724 – PESTICIDES - Authorizes the Director of Pesticide Regulation to levy a civil penalty against any person who possesses or uses any pesticide that is not registered pursuant to specified provisions, or for which registration has been suspended. Introduced 3 March 2003. Referred to Assembly Agriculture Committee and Environmental Safety and Toxic Materials Committee 24 March. Hearing held 29 April. Passed Assembly 22 May. Referred to Senate Committees 5 June. Reported from Committee 8 July. The sponsor is the Assembly Agriculture Committee.

CALIFORNIA ABX 1.10 – AIR QUALITY - Authorizes the Air Resources Board to impose additional permit fees directly on nonvehicular sources within a district's jurisdiction. Authorizes the Board to require a district to collect those fees, to establish a system for direct collection of those fees by the Board, and to contract with any other State agency for the collection of those fees. Lowers the threshold emission level for the imposition of the permit fees on nonvehicular sources by requiring those fees to be collected from nonvehicular sources that are authorized by the district to emit 250 tons or more per year of any nonattainment pollutant or its precursors. Introduced 23 January 2003. Passed Assembly 28 January. Passed Senate 3 February. Signed by Governor 18 March. The sponsor is Assemblywoman Jenny Oropeza (D).

CALIFORNIA SB 18 – LAND USE - Clarifies changes to existing law that authorize the Native American Heritage Commission to prevent severe and irreparable damage to, or assure appropriate access for Native Americans to, a Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine located on public property. Introduced 3 December 2002. Passed Senate 2 June. Referred to Assembly Natural Resources Committee 12 June. Hearing 20 August. Reported from Committee 29 August. The sponsor is Senator John Burton (D).

CALIFORNIA SB 20 – ELECTRONIC WASTE - States legislative intent to ensure that funds are available to assist cities, counties, and recyclers of electronic wastes in developing programs to safely collect and recycle the hazardous materials contained in electronic wastes, and to promote the refurbishment and reuse of electronic equipment for use by schools and nonprofit agencies. Introduced 2 December 2002. Passed Senate 4 June. Referred to Assembly Environmental Safety and Toxic Materials Committee and Natural Resources Committee 16 June. Hearing 20 August. Reported from Committee 29 August. The sponsor is Senator Byron Sher (D).

CALIFORNIA SB 56 – FLOOD CONTROL - Adopts and authorizes the upstream and downstream portions of the Murrieta Creek Flood Control Project in Riverside County. Requires the Riverside County Flood Control and Water Conservation District to carry out the project and to give assurances of local cooperation to the Secretary of the Army, thereby imposing a State-mandated local program. Introduced 14 January 2003. Passed Senate 5 June. Referred to Assembly Appropriations Committee 1 July. Placed on suspense file 16 July. The sponsor is Senator Dennis Hollingsworth (R).

CALIFORNIA SB 201 – RADIATION - Repeals the Radiation Control Law and enacts the Radioactive Materials Management Act, which would transfer the authority of the State Department of Health Services to the Department of Toxic Substances Control. Introduced 13 February 2003. Referred to Senate Environmental Quality and Health and Human Services Committee 25 February. Amended 21 April. Held in Committee 29 May. The sponsor is Senator Gloria Romero (D).

CALIFORNIA SB 216 – ENDANGERED SPECIES – Extends the repeal date (to 1 January 2009) for existing law that requires the Department of Fish and Game to develop and implement a recovery strategy pilot program for the Greater Sandhill Crane and authorizes the Fish and Game Commission, based on recommendations from the Department, to identify four additional candidate, threatened, or

endangered species for which the Department will develop and implement a recovery strategy. Introduced 13 February 2003. Passed Senate 4 June. Referred to Assembly Appropriations Committee 1 July. Reported from Committee 29 August. The sponsor is Senator Byron Sher (D).

CALIFORNIA SB 311 – DRINKING WATER - Permits any person to request an external scientific peer review prior to a risk assessment only if the Office of Environmental Health Hazard Assessment has not submitted the assessment to an external scientific peer review. Introduced 19 February 2003. Passed Senate 12 May. Referred to Assembly Environmental Safety and Toxic Materials Committee 22 May. Amended 14 July. The sponsor is Senator Byron D. Sher (D).

CALIFORNIA SB 543 – GROUNDWATER - Authorizes the Water Resources Control Board to file actions to prevent the impairment of rights to groundwater. Introduced 19 February 2003. Passed Senate 2 June. Referred to Assembly Environmental Safety and Toxic Materials and Water, Parks and Wildlife Committees 12 June. Amended 25 August. The sponsor is Senator Mike Machado (D).

CALIFORNIA SB 656 – AIR QUALITY - Requires the State Air Resources Board to identify all readily available, feasible and cost-effective control measures that could be employed by the Board and the districts to reduce emissions of PM 10 and PM 2.5 from new and existing stationary and area sources. Requires the Board, together with the districts, to identify all readily available, feasible and cost-effective measures that could be employed by the Board and local air districts to reduce PM 10 and PM 2.5 from diesel-powered engines in stationary and mobile applications. Introduced 21 February 2003. Passed Senate 4 June. Hearing 7 July. Reported from Assembly Appropriations Committee 17 July. The sponsor is Senator Byron D. Sher (D).

CALIFORNIA SB 807 – AIR QUALITY - Amends existing law by: (1) granting air pollution control districts and air quality management districts the primary responsibility for the control of air pollution from all sources other than vehicular sources, and (2) requiring districts to adopt and enforce rules and regulations to achieve and maintain the State and federal ambient air quality standards in all areas affected by emission sources under their jurisdiction. Introduced 21 February 2003. Reconsideration granted 12 May. The sponsor is Senator Jeffrey Denham (R).

CALIFORNIA SB 922 - DRINKING WATER - Requires the State Water Resources Control Board or a regional board, in any cleanup or abatement order issued to a discharger that has contaminated a drinking water supply or potential drinking water supply to require the discharger to calculate the amount of water contaminated, calculate the cost of providing replacement water, calculate water replacement quantities to be provided to each affected public water supplier, to provide, or pay for, uninterrupted replacement water service to each affected public water supplier, and to report to that supplier the methods by which the discharger is complying with the cleanup or abatement order. Introduced 21 February 2003. Passed Senate 4 June. Referred to Assembly Environmental Safety and Toxic Materials Committee 12 June. Reported from Committee 2 July. The sponsor is Senator Nell Soto (D).

CALIFORNIA SB 926 – ENVIRONMENTAL ADMINISTRATIVE PROCEDURES - Changes the name of the Office of Military Base Retention to the Office of Military Base Support. Authorizes the Office to seek private funds for the operations of the Office. Introduced 21 February 2003. Passed Senate 22 May. Referred to Assembly Committees 8 July. The sponsor is Senator William Knight (R).

CALIFORNIA SB 1004 – WATER QUALITY - Requires a person who causes or permits perchlorate discharges to any waters of the State to immediately notify the State Water Resources Control Board. Makes a person who fails to provide that notice guilty of a misdemeanor that is punishable by a fine of not less than \$500, or more than \$5,000, for each day of failure to notify. Introduced 21 February 2003. Passed Senate 4 June. Referred to Assembly Environmental Safety and Toxic Materials Committee 16 June. Amended 11 July. Reported from Committee 20 August. The sponsor is Senator Nell Soto (D).

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HAWAII

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Regulatory Developments & Other State Information

No significant regulatory activity to report.

Legislative Developments

The 2003 legislative session began 15 January and ended 1 May. A summary of significant environmental legislation that was enacted and signed was included in the June Review. For more information on the legislative session, link <http://www.capitol.hawaii.gov/sessioncurrent/bills>.



NEVADA

AIR INFORMATION:

PROPOSED REGULATION – INCREASES AND STANDARDIZATION OF FINES FOR MINOR VIOLATIONS

– The Nevada Department of Environmental Protection (DEP) has adopted a temporary regulation and proposed a permanent regulation to increase and standardize the fines in the schedule for minor violations, including fugitive dust, open burning, odors, excess emissions, testing and sampling reporting, monitoring system reporting and change of location. First offense is increased to \$250, second offense to \$500 and third offense to \$750, except for fugitive dust emissions where the fine is proposed to be \$1,000 for the third offense. If a minor violation occurs, the penalty will be approximately two to five times greater than under the previous regulation. DEP will hold a hearing on 18 September 2003. For more information, contact Mike Elges at (775) 687-5065, ext. 3084, or link:

<http://www.leg.state.nv.us/register/DailyUpdates/R064-03V1.html>.

Legislative Developments

The 2003 legislative session began 3 February and ended 2 June. A summary of significant environmental bills that were enacted and signed was included in the July Review. For more information on the legislative session, link <http://www.leg.state.nv.us/>.

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